

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:13-CV-00079-RLV-DSC**

JASON DAVID BROWN,  
LASZLO BOZSO, and  
MERIS DUDZIC,  
individually and on behalf  
of all others similarly situated,

## Plaintiffs,

V.

**LOWE'S COMPANIES, INC., and  
LEXISNEXIS SCREENING  
SOLUTIONS, INC.**

## Defendants.

## **Jury Trial Demanded**

**PLAINTIFFS' UNOPPOSED MOTION TO ENLARGE TIME  
BY WHICH TO RESPOND TO DEFENDANTS' MOTIONS TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule 7.1, Plaintiffs Jason David Brown, Laszlo Bozso, and Meris Dudzic, on behalf of themselves and all others similarly situated, move the Court for an enlargement of the time by which they are to respond to separate motions to dismiss filed by each Defendant. In support of their Motion, Plaintiffs state as follows:

1. Plaintiffs filed this action on May 16, 2013, and both Defendants were served with the Original Complaint on May 23, 2013. (Dkt. No. 9 ¶ 2; Dkt. No. 18 ¶ 1.)
2. Plaintiffs consented to, and the Court granted, each Defendant an additional 30 days by which to file their responsive pleadings, making each due July 15, 2013. (Dkt. Nos. 14, 20.)

3. In response to the Complaint, Lowe's filed a Motion to Dismiss Count One of Plaintiffs' Original Class Action Complaint With Prejudice on July 11 (Dkt. No. 31), and LexisNexis filed a Motion to Dismiss on July 12 (Dkt. No. 33).

4. The responses to those motions are both due July 29, 2013, so the time by which to respond has not yet expired.

5. As there are two dispositive motions now pending, Plaintiffs' Counsel needs additional time to investigate, research, and prepare Plaintiffs' responses.

6. Plaintiffs therefore request that the Court grant them an additional 21 days by which to respond, making the due date August 19, 2013.

7. This is Plaintiffs' first request for an enlargement of time to respond to these motions to dismiss.

8. Granting this extension will not impact any other pending deadlines in this case, as the Court has not yet entered a scheduling order.

9. This Motion is made in good faith and not for delay or any other improper purpose.

10. Consistent with Local Civil Rule 7.1(B), Plaintiffs' Counsel consulted with Counsel for both Defendants, and neither opposes the relief sought in this Motion.

WHEREFORE, Plaintiffs request that the Court extend the time by which they are to respond to Defendants' motions to dismiss by 21 days, up to and including August 19, 2013.

DATED: July 19, 2013

Respectfully submitted,

By: /s/ Michael A. Caddell

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## **CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing document with the Clerk of Court for the Western District of North Carolina, Statesville Division, by using the CM/ECF system. The CM/ECF system sent notice of this filing to the following Counsel of Record:

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